

FILED

SEP 22 1997

SECRETARY, BOARD OF
OIL, GAS & MINING

BEFORE THE BOARD OF OIL, GAS AND MINING

DEPARTMENT OF NATURAL RESOURCES

STATE OF UTAH

IN THE MATTER OF THE PETITION)
FILED BY THE DIVISION OF OIL, GAS)
AND MINING FOR AN ORDER)
REQUIRING IMMEDIATE)
RECLAMATION OF THE DRUM MINE,)
FROM WESTERN STATES MINERALS)
CORPORATION AND JUMBO MINING)
COMPANY, MILLARD COUNTY, UTAH)
)
)
)

MEMORANDUM IN OPPOSITION TO
THE DIVISION'S MOTION FOR
CONTINUANCE

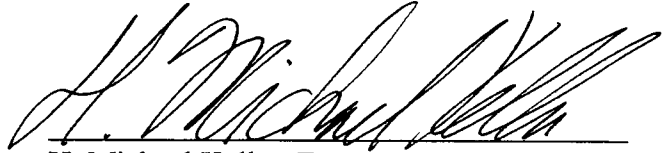
Docket No. 97-009
Cause No. M/027/007

Western States Minerals Corporation ("WSMC"), by and through its undersigned counsel, hereby files this Memorandum in Opposition to the Motion and Memorandum in Support of Request for Continuance filed by the Division of Oil, Gas and Mining (the "Division"). WSMC agrees the currently scheduled hearing should be continued, but strenuously objects to the continuance as proposed by the Division in its Motion.

Pursuant to the Stipulation, Motion and Order for Second Amendment to Pre-Hearing Scheduling and Discovery Order, entered July 2, 1997, the Board set this matter for hearing on October 22, 1997 and established a pre-hearing schedule. The Division has now seeks to continue that October 22, 1997 hearing on the ground that the Division has found that the Drum Mine is inadequately bonded and needs time to address the surety issue. The Division also alleges that Western, through its counsel, previously

of Informal Agency Action pending adjudication of the issue of responsibility for reclamation as between WSMC and Jumbo Mining Company.

DATED this 19th day of September, 1997.

A handwritten signature in black ink, appearing to read "H. Michael Keller", written over a horizontal line.

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CERTIFICATE OF SERVICE

I hereby certify that I caused to be mailed, postage prepaid, a true and correct copy of the within and foregoing MEMORANDUM IN OPPOSITION TO THE DIVISION'S MOTION FOR CONTINUANCE this 19th day of September, 1997, to the following:

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